



TRUST DEED

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92090141

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THE ABOVE SPACE FOR RECORDER'S USE ONLY

THIS INDENTURE, made January 20, 1995, between MIECZYSLAW FITA and DANUTA FITA, his wife... hereinafter referred to as "Mortgagors," and CHICAGO TITLE AND TRUST COMPANY, an Illinois corporation doing business in Chicago, Illinois, herein referred to as TRUSTEE, witnesseth: THAT, WHEREAS the Mortgagors are justly indebted to the legal holders of the Instalment Note hereinafter described, said legal holder or holders being herein referred to as Holders of the Note, in the principal sum of One Hundred Fifty Thousand and no/100 (\$150,000.00) Dollars,

evidenced by one certain Instalment Note of the Mortgagors of even date herewith, made payable to THE ORDER OF MICHAEL WALTER MALECKE and JUANITA MALECKE, his wife as joint tenants and delivered, in and by which said Note the Mortgagors promise to pay the said principal sum and interest from January 20, 1995 on the balance of principal remaining from time to time unpaid at the rate of 9.5% percent per annum in installments (including principal and interest) as follows: One Thousand Three Hundred Ninety Eight and 20/100 (\$1,398.20) Dollars or more on the 1st day of March 1995 and One Thousand Three Hundred Ninety Eight and 20/100 (\$1,398.20) Dollars on the 1st day of each month thereafter until said note is fully paid except that the final payment of principal and interest, if not sooner paid, shall be due on the 30th day of January, 2000 All such payments on account of the indebtedness evidenced by said note to be first applied to interest on the unpaid principal balance and the remainder to principal; provided that the principal of each installment unless paid when due shall bear interest at the rate of 18% per annum, and all of said principal and interest being made payable at such banking house or trust company in Mount Prospect, Illinois, as the holders of the note may, from time to time, in writing appoint, and in absence of such appointment, then at the office of WALTER MALECKE and JUANITA MALECKE in said City.

NOW, THEREFORE, the Mortgagors to secure the payment of the said principal sum of money and said interest in accordance with the terms, provisions and limitations of this trust deed and the performance of the covenants and agreements herein contained, by the Mortgagors to be performed, and also in consideration of the sum of One Dollar in hand paid, the receipt whereof is hereby acknowledged, do by these presents CONVEY and WARRANT unto the Trustee, its successors and assigns, the following described Real Estate and all of its state, right, title and interest therein, situate, lying and being in the City of Chicago, County of Cook AND STATE OF ILLINOIS, to wit:

PLEASE SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"

RECORDING: 92090141, 02/07/95, 14109100, 07837 3 DLW, 4-925-1371441, COOK COUNTY RECORDER

IN ADDITION TO THIS AMOUNT, MORTGAGORS SHALL DEPOSIT MONTHLY 1/12TH OF THE ESTIMATED TAXES AND INSURANCE INTO AN ESCROW TO BE HELD BY SELLER TO PAY FOR REAL ESTATE TAXES AND HAZARD INSURANCE. THERE SHALL BE A ONE TIME PAYMENT OF FIFTY THOUSAND AND NO/100 (\$50,000.00) DOLLARS ON FEBRUARY 1, 1996.

which, with the property hereinafter described, is referred to herein as the "premises," TOGETHER with all improvements, tenements, accretions, fixtures, and appurtenances thereto belonging, and all rents, issues and profits thereof for so long and during all such times as Mortgagors may be entitled thereto (which are pledged primarily and on a parity with said real estate and not secondarily) and all apparatus, equipment or articles now or hereafter therein or thereon used to supply heat, gas, air conditioning, water, light, power, refrigeration (whether single units or centrally controlled), and ventilation, including (without restricting the foregoing), screens, window shades, storm doors and windows, floor coverings, major beds, awnings, stoves and water heaters. All of the foregoing are declared to be a part of said real estate whether physically attached thereto or not, and it is agreed that all similar apparatus, equipment or articles hereafter placed in the premises by the mortgagors or their successors or assigns shall be considered as constituting part of the real estate.

TO HAVE AND TO HOLD the premises unto the said Trustee, its successors and assigns, forever, for the purposes, and in on the uses and trusts herein set forth, free from all rights and benefits under and by virtue of the Homestead Exemption Laws of the State of Illinois which said rights and benefits the Mortgagors do hereby expressly release and waive.

This trust deed consists of two pages. The covenants, conditions and provisions appearing on page 2 (the reverse side of this trust deed) are incorporated herein by reference and are a part hereof and shall be binding on the mortgagors, their heirs, successors and assigns.

WITNESS the hand and seal of Mortgagors the day and year first above written.

MIECZYSLAW FITA (SEAL) DANUTA FITA (SEAL)

STATE OF ILLINOIS, County of Cook, I, the undersigned, a Notary Public in and for residing in said County, in the State aforesaid, DO HEREBY CERTIFY THAT MIECZYSLAW FITA and DANUTA FITA, his wife who personally known to me to be the same person whose name is above subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth. NANCY ANN GEORGINOES, Notary Public, State of Ill. Given under my hand and Notarial Seal this 20th day of November 1995. MY COMM. EXPIRES 11/6/96. Notary Public

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LOT 41 IN BLOCK 7 IN HENRY WISNER'S SUBDIVISION OF LOTS 11 AND 12 IN BRAND'S SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 2885 MILWAUKEE AVE., CHICAGO, ILLINOIS

PERMANENT INDEX NUMBER: 13-26-216-070-0000

SUBJECT ONLY TO: (A) COVENANTS, CONDITIONS AND RESTRICTIONS OF RECORD; (B) PRIVATE, PUBLIC AND UTILITY EASEMENTS AND ROADS AND HIGHWAYS, IF ANY; (C) PARTY WALL RIGHTS AND AGREEMENTS, IF ANY; (D) EXISTING LEASES AND TENANCIES; (E) SPECIAL TAX OR ASSESSMENTS FOR IMPROVEMENTS NOT YET COMPLETED; (F) INSTALLMENTS NOT DUE AT THE DATE HEREOF OR ANY SPECIAL TAX OR ASSESSMENTS FOR IMPROVEMENTS HERETOFORE COMPLETED; (G) MORTGAGE OR TRUST DEED SPECIFIED IN REAL ESTATE SALES CONTRACT DATED NOVEMBER, 1994, IF ANY; (H) GENERAL TAXES FOR THE YEAR 1994 AND SUBSEQUENT YEARS INCLUDING TAXES WHICH MAY ACCRUE BY REASON OF NEW OR ADDITIONAL IMPROVEMENTS DURING THE YEAR (S) 1994

Cook County Clerk's Office

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